

**DEPARTMENT OF FOOD AND AGRICULTURE  
MEAT, POULTRY AND EGG SAFETY BRANCH  
PROPOSED REGULATIONS – CUSTOM LIVESTOCK SLAUGHTER**

The Department of Food and Agriculture, Meat, Poultry and Egg Safety Branch, proposes to make various changes to Subchapter 1, Chapter 4, Division 2, of Title 3 of the California Code of Regulations, to read as follows:

**1) Amend section 900 of Article 1, Subchapter 1, Chapter 4, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

Section 900. Definitions.

(a) As used in this subchapter, unless otherwise required by the context, the singular form shall also import the plural and the masculine form shall import the feminine, and vice versa.

(b) Unless otherwise required by the context, the following terms shall be construed, respectively, to mean:

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(22) “Fecal material” or “ingesta” means any foreign matter that is brown, yellow or green and that has a fibrous or plant material texture.

~~(22)~~ (23) “Firm” means any partnership, association, or other unincorporated business organization.

~~(23)~~ (24) “Immediate container” means the receptacle or other covering in which any product is directly contained or wholly or partially enclosed.

~~(24)~~ (25) “Inedible” means adulterated, uninspected, or not intended for use as human food.

~~(25)~~ (26) The term “inhumane slaughter” or “inhumane handling in connection with slaughter” means the slaughter or handling in connection with slaughter not in accordance with the federal Humane Methods of Slaughter Act, 7 USC, section 1901 et seq.

~~(26)~~ (27) “Inspector” means a Meat, Poultry and Egg Safety Branch-employed Veterinarian (Meat Inspection), Meat Food Inspector, Supervising Meat Inspector, or Branch Chief or an industry-employed and Department-licensed Livestock Meat Inspector or Processing Inspector.

~~(27)~~ (28) “Label” means a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

~~(28)~~ (29) “Labeling” means all labels and other written, printed, or graphic matter:

(A) Upon any article or any of its containers or wrappers; or

(B) Accompanying such article.

~~(29)~~ (30) “Livestock” means cattle, sheep, swine, goats, and fallow deer or equine for pet food.

~~(30)~~ (31) “Meat” means the part of the muscle of any cattle, sheep, swine, goats or fallow deer that is skeletal or that is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve, and blood vessels that normally accompany the muscle tissue and that are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout, or ears.

~~(34)~~ (32) “Meat, Poultry and Egg Safety Branch” or “MPES” means the Meat, Poultry and Egg Safety Branch of the Department.

~~(32)~~ (33) “Meat byproduct” means any part capable of use as human food, other than meat, that has been derived from one or more cattle, sheep, swine, goats, or fallow deer.

~~(33)~~ (34) “Meat food product” means any article capable of use as human food that is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, goats, or fallow deer. This does not include articles exempted from the definition of a meat food product by the Department in specific cases or by the requirements of this subchapter, upon a determination that they contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry. Such exempted articles shall comply with any requirements that are imposed in such cases or regulations to assure that the meat or other portions of such carcasses contained in such articles are not adulterated and that such articles are not represented as meat food products.

~~(34)~~ (35) “Nonambulatory” means unable to stand or walk without assistance.

~~(35)~~ (36) “Official device” means any device prescribed by section 903.17 of this subchapter for use in applying any official mark.

~~(36)~~ (37) “Official establishment” means any slaughtering, curing, smoking, drying, rendering, or similar establishment at which inspection is maintained under the regulations in this subchapter.

~~(37)~~ (38) “Official inspection legend” means any symbol prescribed by the regulations in this subchapter showing that an article was inspected and passed in accordance with the Act.

~~(38)~~ (39) “Official mark” means the official inspection legend or any other symbol prescribed by the requirements of this subchapter to identify the status of any article or animal under the Act.

~~(39)~~ (40) “Packaging material” means any cloth, paper, plastic, metal, or other material used to form a container, wrapper, label, or cover for meat and poultry products.

~~(40)~~ (41) “Passed” means the product or ingredient has been inspected and determined to be fit for human food purposes.

~~(44)~~ (42) “Person” means any individual, firm, or corporation.

~~(42)~~ (43) “Potentially Hazardous Product” means any meat and/or poultry product that is in a form capable of supporting rapid and progressive growth of infectious or toxigenic

microorganisms that may cause food infections or food intoxications. "Potentially hazardous product" does not include meat and/or poultry products that have a pH level of 4.6 or below and/or a water activity (aw) value of 0.85 or less.

~~(43)~~ (44) "Poultry" means domestic fowl and domesticated rabbit to be used for human food. "Fowl" includes chickens, turkeys, ducks, geese, squab, quail, pheasant, ratites, and other domesticated birds.

~~(44)~~ (45) "Poultry Meat Food Product" means any article of food or any article intended or capable of being used as human food that is derived or prepared, in whole or in substantial and definite part, from any portion of poultry.

~~(45)~~ (46) "Poultry Product" means dressed poultry, ready-to-cook poultry, edible poultry by-product, and poultry meat food product. However, the following items contain poultry ingredients only in a relatively small proportion or historically have not been considered by consumers as products of the poultry food industry. Therefore, the following items are exempt from the definition of "poultry product" and the requirements of the Act and the regulations applicable to poultry products, if they comply with the conditions specified in this subchapter:

(A) Any human food product (in a consumer package) not provided for in subsection (B) of this section, if:

1. It contains less than 2 percent cooked poultry meat (deboned white or dark poultry meat, or both);

2. It contains less than 10 percent of cooked poultry skins, giblets, or fat, separately, and less than 10 percent of cooked poultry skins, giblets, fat, and meat (as meat is limited in this section) in any combination;

3. The poultry ingredients used in the product were prepared under federal inspection or were inspected under a foreign or state inspection system approved by the USDA or Department and imported in compliance with the Act and the requirements of this subchapter;

4. The immediate container of the product bears a label that shows the name of the product in accordance with this subchapter; and

5. The product is not represented as a poultry product. The aforementioned percentages of ingredients shall be computed on the basis of the moist, deboned, cooked poultry in the ready-to-serve product when prepared according to the serving directions on the consumer package.

(B) Bouillon cubes, poultry broths, gravies, sauces, seasonings, and flavorings if:

1. They contain poultry meat or poultry fat only in condimental quantities;

2. They comply with the provisions of subsections (b)(45)(A) 3., 4., and 5. of this section in all respects; and

3. In the case of poultry broth, it will not be used in the processing of any poultry product in any official establishment.

(C) Fat capsules and sandwiches containing poultry products if they comply with the provisions of subsections (b)(45)(A) 3., 4., and 5. of this section in all respects.

(D) Products of the types specified in this section except those specified in subsections (b)(45)(A) and (C) of this section will be deemed to be represented as poultry products if the kind name of the poultry (chicken, turkey, etc.) is used in the product name of the product without appropriate qualification. For example, a consumer-packaged noodle soup product containing less than 2 percent chicken meat on a ready-to-serve basis may not be labeled “Chicken Noodle Soup” but, when appropriate, could be labeled as “Chicken Flavored Noodle Soup.”

~~(46)~~ (47) “Prepared” means slaughtered, cured, smoked, dried, rendered, or otherwise manufactured or processed.

~~(47)~~ (48) “Process schedule” means a written description of processing procedures, consisting of any number of specific, sequential operations directly under the control of the establishment employed in the manufacture of a specific product, including the control, monitoring, verification, validation, and corrective action activities associated with production.

~~(48)~~ (49) “Product” means any carcass, meat, meat byproduct, meat food product, poultry product, or poultry meat food product capable of use as human food.

~~(49)~~ (50) “Program” means the Meat, Poultry and Egg Safety Branch.

~~(50)~~ (51) “Renderer” means any person engaged in the business of rendering carcasses or parts or products of the carcasses of any livestock or poultry except rendering of products intended for human consumption and conducted under inspection.

~~(51)~~ (52) “Restricted ingredient” means an additive for which the amount that can be used in a meat or poultry product is limited by this subchapter.

~~(52)~~ (53) “State” means the State of California.

~~(53)~~ (54) “State Veterinarian” means an officially designated employee of the California Department of Food and Agriculture who has jurisdiction over livestock and poultry disease control, meat inspection, and dairy inspection.

~~(54)~~ (55) “Subchapter” references mean the regulations contained in Subchapter 1 of Chapter 4, Division 2, of Title 3 of the California Code of Regulations.

~~(55)~~ (56) “Supervision” means the controls, as prescribed in instructions to program employees, to be exercised by them over particular operations to insure that such operations are conducted in compliance with the Act and the requirements of this subchapter.

(57) “Viscera” means the internal organs and glands contained in the thoracic and abdominal cavities.

NOTE: Authority cited: Sections 407, 18693, 18735, 18960 and 18961, Food and Agricultural Code. Reference: Chapter 4 (commencing with section 18650), Chapter 4.1 (commencing with section 18940); and Chapter 6 (commencing with section 19501), of Part 3, Division 9, and Chapter 3 (commencing with section 24951) of Part 1, Division 12, Food and Agricultural Code.

**2) Adopt sections 901.12 and 901.13 of Article 2, Subchapter 1, Chapter 4, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

Section 901.12 Only Authorized Persons Permitted in Stunning, Bleeding, Skinning, Evisceration and Inspection Areas of Custom Livestock Slaughterhouses.

(a) Only plant personnel and inspectors shall be allowed in stunning, bleeding, skinning, evisceration or inspection areas during stunning, bleeding, skinning, evisceration and inspection operations, except when:

(1) The owner, or his representative, of an animal requests and receives permission from the Custom Livestock Slaughterhouse owner/operator or from a Livestock Meat Inspector to observe the operations. The observer must remain in a designated area in the plant where he does not interfere with stunning, bleeding, skinning, evisceration or inspection operations and where he does not endanger himself/herself, plant personnel or inspectors.

(2) The owner of an animal requests and receives permission from the Custom Livestock Slaughterhouse owner/operator or from a Livestock Meat Inspector for him and/or his designee to bleed his stunned animal in accordance with section 901.13(a).

(3) The owner of an animal requests and receives permission from the Custom Livestock Slaughterhouse owner/operator or from a Livestock Meat Inspector to clean and singe his animal, either before evisceration or after the animal has been inspected and passed by a Livestock Meat Inspector and released to them. Singeing shall be done in a designated area of the plant approved for this purpose by the Department.

(4) The owner of an animal requests and receives permission from the Custom Livestock Slaughterhouse owner/operator or from a Livestock Meat Inspector to collect blood from his animal during the bleeding operation.

(A) Such blood collection shall not interfere with the bleeding process; shall not endanger plant employees, inspectors or others; and shall be performed under sanitary conditions.

(B) The blood shall be retained by the Livestock Meat Inspector until the carcass and parts pass post-mortem inspection.

NOTE: Authority cited: Sections 407, 18693, 18735, 18960, 18961 and 19014, Food and Agricultural Code. Reference: Sections 18736, 18738, 18971, 18973, 18976, 19012, 19014 and 19017, Food and Agricultural Code.

Section 901.13 Stunning, Bleeding, Skinning and Evisceration Operations and Product Handling in Custom Livestock Slaughterhouses

(a) Only plant personnel may stun, bleed, skin or eviscerate livestock in Custom Livestock Slaughterhouses, except when the owner of an animal requests and receives permission from the Custom Livestock Slaughterhouse owner/operator or from a Livestock Meat Inspector for him and/or his designee to bleed his animal after it has been stunned by plant personnel.

(1) The owner must request and receive permission to bleed the stunned animal before the slaughter process begins. The request must be based on ritual requirements of the Jewish or any other religious faith.

(2) The bleeding must be done under the supervision of plant personnel and must be conducted in a manner that results in rapid, thorough exsanguination of the animal; that is sanitary; and that does not endanger the owner and/or his designee, plant personnel and inspectors.

(b) Only plant personnel may handle carcasses, other than as provided for in section 901.12, and viscera in Custom Livestock Slaughterhouses until post mortem inspections have been completed and carcasses and parts have been marked as required in section 908.5.

NOTE: Authority cited: Sections 407, 18693, 18735, 18960, 18961 and 19014, Food and Agricultural Code. Reference: Sections 18736, 18738, 18971, 18973, 18976, 19012, 19014 and 19017, Food and Agricultural Code.

**3) Amend section 904.15 of Article 5, Subchapter 1, Chapter 4, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

Section 904.15. Contamination of Carcasses, Organs, or Other Parts.

(a) Carcasses, organs, and other parts shall be handled in a sanitary manner to prevent contamination with fecal material, ingesta, urine, bile, hair, dirt, or foreign matter; however, if contamination occurs, it shall be promptly removed in a manner satisfactory to the inspector.

(1) Before carcasses are inspected and washed, all visible fecal material and ingesta shall be trimmed from the carcasses.

(2) After the carcasses have been trimmed, inspected and passed, they shall be thoroughly washed with warm water and allowed to drip dry for at least two minutes after washing.

(b) After skinned carcasses have been washed and allowed to drip dry, they shall be treated to reduce bacterial contamination by one of the following methods:

(1) Rinse with peroxyacetic acid solution in a concentration of 1000 parts per million.

(2) Rinse with acetic, citric or lactic acid solution in a concentration of two percent (2%).

(3) All surfaces of skinned carcasses shall be thoroughly covered with the acid rinse solution and the carcasses shall not be rinsed with water after application of the acid rinse.

(b) (c) Brains, cheek meat, and head trimmings from animals stunned by lead, sponge iron, or frangible bullets shall not be saved for use as human food but shall be disposed of in accordance with Article 8 of this subchapter.

NOTE: Authority cited: Sections 407, 18693, 18735, 18960, 18961 and 19014, Food and Agricultural Code. Reference: Sections 18721, 18722, 18753, 18972, 18973, 18991, 19012 and 19017, Food and Agricultural Code.

**4) Adopt section 908.12 of Article 9, Subchapter 1, Chapter 4, Division 2, of Title 3 of the California Code of Regulations, to read as follows:**

908.12. Safe Handling Instructions

(a) Safe handling instructions shall be provided to the customer in one or more of the following ways:

(1) Placement on each package of product

(2) Placement on each container holding packaged or unpackaged product

(3) Given as a flyer to the customer with the product.

(b) These instructions must appear in lettering no less than 1/8 inch in height. The heading must be set in type size larger than the rationale statement and instructions. All safe handling information must be set off by a border and appear in one color printed on contrasting background of a single color.

(c) Safe handling instructions shall include the following or similar statements.

(1) "Some meat and meat products may contain bacteria that could cause illness if the product is not handled or cooked properly. For your protection, follow these safe handling instructions".

(2) "Meat and poultry must be kept refrigerated or frozen. Unrefrigerated meat or poultry must be cooked or placed under refrigeration within two hours or it must be covered with ice as soon as possible. Do not place unrefrigerated meat or poultry in closed containers unless it is covered with ice. Thaw frozen meat and poultry in a refrigerator or microwave." A graphic illustration of a refrigerator may be displayed next to this statement.

(3) "Raw meat and poultry must be kept separate from other foods. Wash working surfaces, including cutting boards, utensils, and hands, with warm water and soap after touching raw meat or poultry." A graphic illustration of soapy hands under a faucet may be displayed next to this statement.

(4) "Meat and poultry must be cooked thoroughly. Ground meat should be cooked to a minimum internal temperature of 160 degrees Fahrenheit. Other meat products should be

cooked to a minimum internal temperature of 145 degrees Fahrenheit and then allowed to sit three minutes before serving. Poultry products should be cooked to a minimum internal temperature of 165 degrees Fahrenheit." A graphic illustration of a skillet may be displayed next to this statement.

(5) "Hot foods must be kept hot. Refrigerate leftovers immediately or discard. Leftovers should be reheated to a minimum internal temperature of 140 degrees Fahrenheit." A graphic illustration of a thermometer may be displayed next to the statement.

NOTE: Authority cited: Sections 407, 18693, 18735, 18960, 18961 and 19014, Food and Agricultural Code. Reference: Sections 18669, 18722, 18725, 18726, and 18731, Food and Agricultural Code.

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